

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 12/15/2009

Case Number 2:09-cr-259

Case Style: USA vs. John Tiano

Type of hearing Plea Hearing

Before the honorable: 2508-Copenhaver

Court Reporter Barbara Steinke

Courtroom Deputy Kelley Miller

Attorney(s) for the Plaintiff or Government Monica K. Schwartz

Attorney(s) for the Defendant(s) J. Timothy DiPiero/Heather Langeland

Law Clerk

Probation Officer Ruth E. Loftis

Trial Time

Non-Trial Time

Plea Hearing

Court Time

1:41 pm to 3:22 pm

Total Court Time: 1 Hours 41 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

1:30 case set

1:41 - case called - purpose of hearing for defendant to enter plea to two-count information pursuant to plea agreement - defense counsel says that is correct

Defendant sworn - gave personal information

Court read information - defendant understands

Court gave elements - defendant understands

Waiver of indictment received and filed

Original plea agreement to the court - court summarized majority of the agreement - US read Paragraphs 13 of the plea agreement into the record - defendant understands stipulation of facts and Rule 410 waiver - defendant understands agreement on sentencing guidelines - defendant understands waiver of appeal and collateral attack - defendant understands FOIA waiver

Court explained constitutional rights, maximum penalties, supervised release, additional term, advisory sentencing guidelines, relevant conduct

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Guilty plea received and filed

Defendant gave factual basis

Court finds factual basis, accepts plea and plea agreement and adjudges defendant guilty

Directs PSI - sentencing set for March 18, 2010, at 1:30 pm

Bond - defendant to be released on \$10,000 unsecured bond

3:22 concluded